

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

DATE: September 30, 2013

TO: Michael Mayo, Sr., Chairperson
Transportation, Public Works & Transit Committee

FROM: Brian Dranzik, Director, Department of Transportation

SUBJECT: Temporary Routing/Layover Changes at Southridge Mall

POLICY

This report is for informational purposes only.

BACKGROUND

MCTS has operated service to Southridge Mall since it opened in 1970. Southridge Mall is serviced seven days a week by four regular bus routes: Route 14 (Forest Home), Route 55 (Layton Avenue), Route 64 (S. 60th Street), and Route 76 (N. 60th – S. 70th). Currently these routes provide access to the mall via a layover/bus stop on mall property at a temporary location that was implemented on February 6, 2012. There are approximately 1,050 rides/day generated on these routes. A fifth route, also located on mall property, the Route 46 (Loomis-Southridge), provides freeway flyer service on weekdays to residents from Southwestern Milwaukee County to Downtown and generates about 126 rides/day (see attached).

Southridge Mall is owned by Simon Property Group, which is located in Indianapolis, Indiana. Discussion regarding operation of transit service on the mall property has taken place over the past two years with representatives of Simon Property Group, Southridge Mall, MCTS and the Milwaukee County Department of Transportation (MCDOT). Mostly due to mall renovations, layover locations and routings have changed over the past few years. Recently, the General Manager of Southridge Mall informed MCTS and MCDOT that transit would no longer be allowed to layover buses on mall property. Additionally, the Route 46 Freeway Flyer would no longer be permitted to operate on mall property. The four regular routes previously listed would be allowed to access the mall utilizing the existing Route 46 layover as a bus stop only (see attached). The General Manager indicated that the deadline for implementing these changes is November 1, 2013.

MCTS believes that these changes, the removal of the layover and the relocation of the bus stop, will have an adverse impact on shoppers and employees who rely on public transportation services to access the mall. Bus patrons will be required to navigate through large parking lots to access mall entrances, which can be particularly challenging to seniors and the disabled community.

MCTS is currently working with the Village of Greendale and the City of Greenfield in order to establish on-street layover locations that are safe and under the circumstances, as convenient as possible. Based on the outcome of these discussions, MCTS and MCDOT will provide a report and resolution for long term routing and layover locations for the Board's consideration.

RECOMMENDATION

This report is for information purposes only.

Prepared by: Mike Giugno, Managing Director, MCTS

Approved by:

Brian Dranzik
Director, Department of Transportation

Attachment

cc: Chris Abele, Milwaukee County Executive
Marina Dimitrijevic, Chairwoman, County Board of Supervisors
Kelly Bablitch, Chief of Staff, County Board of Supervisors
Amber Moreen, Chief of Staff, Milwaukee County Executive Chris Abele
John Zapfel, Deputy Chief of Staff, Milwaukee County Executive Chris Abele
Don Tyler, Director, Department of Administrative Services
Josh Fudge, Interim Fiscal and Budget Administrator, Department of Administrative Services
Anthony Geiger, Fiscal and Budget Analyst, Department of Administrative Services

Southridge Mall Proposed MCTS Service Change

November 1, 2013





COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION

Department of Transportation
Brian Dranzik, Director

County Board
Chair

OCT 18 2013

Referred

DATE: September 30, 2013

TO: County Executive Chris Abele
Marina Dimitrijevic, Chairwoman, Milwaukee County Board of Supervisors

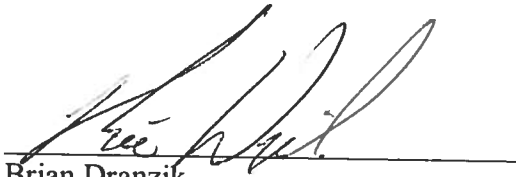
FROM: Brian Dranzik, Director of Transportation

SUBJECT: Notice of Bus Shelter Advertising RFP Cancellation

The attached letter to this memo is notification that MTS, Inc. has cancelled the RFP for Bus Shelter Advertising and plans to reissue an RFP. MTS has extended the current contract to the end of the year from its current contract end date of 9/30/13. The letter from MTS provides an overview for the reasons of cancellation. In summary, there was ambiguity in documentation provided for the DBE goal ultimately leading to a lack of competition for the service.

This notification is being provided based on the recent audit that called for formal notification to the County Executive and County Board Chair within 48 hours of an emergency contract/extensions with a detailed explanation of the nature and extent of the emergency, as well as the fiscal impact of the action taken. We do not believe the cancellation of the RFP and extension of the current contract through the end of the year constitutes an emergency since there is no loss of service to the public and there is no anticipated loss of revenue. However, since this is the first instance of a contract extension since the paratransit extension, and resulting audit, I felt it was in the best interest of the department to provide a notification of what occurred so it could be explained if asked by anyone outside the County.

If there was the potential of a stoppage of service, or the threat of loss of revenue, the Department would have made contact prior to this notice so that your office could be prepared in advance of a notice by letter.

A handwritten signature in black ink, appearing to read "Brian Dranzik", is written over a horizontal line.

Brian Dranzik
Director of Transportation

Milwaukee County Transit System

1942 NORTH 17TH STREET • MILWAUKEE, WISCONSIN • 53205-1697 • (414) 344-4550

vital then. vital now.



September 26, 2013

Brian Dranzik
Director of Transportation
Milwaukee County Department of Transportation
2711 W. Wells Street
Milwaukee, WI 53208

Re: Cancellation of Bus Shelter Advertising RFP

Dear Brian,

I am providing an update on RFP MM-11-13 for Bus Shelter Advertising. At this time, MCTS plans to cancel this RFP and put out a new RFP for Bus Shelter Advertising using the same specification and DBE goal, with the amount of time permitted for responses shortened from six weeks to four. To ensure no negative fiscal impact and continuity of advertising related revenues, the existing contract with Clear Channel Outdoor has been extended thru 12/31/13 rather than lapsing on 9/30/13.

This course of action is warranted for the following reasons: The Interim Director of CBDP, Ruben Anthony, informed us that the vendor determined to be of best value did not meet the required Good Faith Effort (GFE) for DBE participation and failed to persuade him to reverse this determination during an appeal. In addition, although there was one other proposal, the technical score for this vendor was so low that the technical evaluation team for this procurement could not endorse awarding a contract to the firm.

Details about this procurement follow:

An RFP for Bus Shelter Advertising was issued on June 6, 2013. A DBE goal of 14% of Gross Revenue was established. The original proposal due date was July 9, 2013, but an amendment extended the deadline to July 22, 2013.


Upon receipt of two proposals, MCTS forwarded the DBE paperwork to CBDP office for review and received the following response on 7/24/13: "Per your request, we have conducted a DBE responsiveness good faith evaluation review. Based upon the documents provided, it appears that the DBE submissions for both firms meet the requirements of the specification. Further analysis of the intended awardee's submittals will need to be performed."

Based on this e-mail, MCTS reviewed the vendor proposals in an effort to determine the intended awardee. On 8/27/13, after the technical review committee decided that the Clear Channel proposal represented the best value, MCTS requested that CBDP conduct the 'further analysis' described in the 7/24/13 e-mail. On 9/9/13, CBDP informed MCTS that Clear Channel

in fact did not meet the required Good Faith Effort (GFE) for DBE and could not be awarded a contract. Clear Channel was subsequently informed of their opportunity to appeal this decision by the CBDP office. In turn, Ruben Anthony contacted us on 9/19/13 and stated that the appeal will be rejected. Once CBDP delivers this news to the vendor, MCTS will cancel the RFP for the following reason: No adequate competition of qualified firms remained, as the RFP process eliminated all respondents to this RFP. In an effort to allow CBDP to be responsive to the appeal (and not inform a vendor of the outcome of their appeal indirectly), I ask that the pending cancellation of RFP MM-11-13 be held confidential until CBDP takes their official action of responding to Clear Channel in writing.

Finally, I am providing this information to you to be clear that the intent of a continuity of service clause was achieved thru the short-term extension of the existing revenue generating contract with Clear Channel Outdoor. The extension should afford an opportunity to complete an RFP issued with a four-week deadline.

Sincerely,



Michael J. Giugno
Managing Director

MJG/cn

COUNTY OF MILWAUKEE
Inter-Office Communication

DATE: September 27, 2013

TO: Marina Dimitrijevic, Chairwoman, County Board of Supervisors
Supervisor Michael Mayo, Sr., Chairman, Transportation, Public Works and Transit Committee

FROM: Brian Dranzik, Director, Department of Transportation

SUBJECT: **AMEND AIRPORT AGREEMENT NO. HP-996 BETWEEN MILWAUKEE COUNTY AND CESSNA AIRCRAFT COMPANY**

POLICY

County Board approval is required for agreement amendments at General Mitchell International Airport (GMIA).

BACKGROUND

On September 11, 1989 Milwaukee County entered into Airport Agreement No. HP-996 with The Cessna Aircraft Company for the lease of land on which to construct, operate, and maintain an aircraft hangar, apron, and necessary appurtenant facilities for the purpose of storing, servicing, repairing and performing services as a Cessna Citation Service Center for Cessna Citation aircraft. The agreement was for an initial term of five (5) years with seven (7) automatic renewal terms of five (5) years each. The apron used for aircraft parking was constructed with Federal Airport Improvement Program funding that required a local share provided by Milwaukee County. The Cessna Aircraft Company agreed to the responsibility of repaying Milwaukee County for the local share upon completion of the apron construction.

As part of the 2013 airport capital improvement budget, \$1,145,000 was allocated for the reconstruction of the original Cessna apron at General Mitchell International Airport (GMIA). Completion of the Cessna apron reconstruction is eligible for 80% Wisconsin State Bureau of Aeronautics Aid and requires a local share of \$229,000 (20% of the project cost) to be paid by Cessna with interest (5%) over a 20 year life. Airport Agreement No. HP-996 now requires an amendment to reflect the additional payment needed for the apron reconstruction.

RECOMMENDATIONS

Airport staff recommends that Milwaukee County amend Airport Agreement No. HP-996 between Milwaukee County and Cessna Aircraft Company to include the following:

1. The land under lease shall remain at approximately 155,880 square feet.
2. Cessna Aircraft Company will repay Milwaukee County the local share cost of the apron reconstruction project with interest, estimated to be \$229,000, over a 20 year period.

FISCAL NOTE

Wisconsin State Bureau of Aeronautics Aid is available for this project. The required local match of 20% will initially be funded by the Airport Development Fund. Cessna will repay Milwaukee County the local share cost over a 20-year period at 5% interest.

Prepared by: Steven Wright, Airport Properties Manager

Approved by:

Brian Dranzik, Director
Department of Transportation

C. Barry Bateman
Airport Director

File No.
Journal

(Item) From the Director, Department of Transportation, and the Airport Director, requesting County Board approval to amend Airport Agreement No. HP-996 by recommending adoption of the following:

RESOLUTION

WHEREAS, on September 11, 1989, Milwaukee County entered into Airport Agreement No. HP-996 with The Cessna Aircraft Company for the lease of land on which to construct, operate, and maintain an aircraft hangar, apron, and necessary appurtenant facilities for the purpose of storing, servicing, repairing, and performing services as a Cessna Citation Service Center for Cessna aircraft.; and

WHEREAS, the agreement was for an initial term of five (5) years with seven (7) automatic renewal terms of five (5) years each; and

WHEREAS, the apron used for aircraft parking was constructed with Federal Airport Improvement Program funding that required a local share provided by Milwaukee County; and

WHEREAS, the Cessna Aircraft Company agreed to the responsibility of repaying Milwaukee County for the local share upon completion of the apron construction; and

WHEREAS, as part of the 2013 airport capital improvement budget, \$1,145,000 was allocated for the reconstruction of the original Cessna apron at General Mitchell International Airport (GMIA); and

WHEREAS, Airport Agreement No. HP-996 now requires an amendment to reflect the additional payment needed for the apron reconstruction; now, therefore,

BE IT RESOLVED, that the Director of Transportation and the Airport Director hereby request that Milwaukee County amend Airport Agreement No. HP-996 between Milwaukee County and Cessna Aircraft Company to include the following:

1. The land under lease shall remain approximately 155,880 square feet.
2. Cessna Aircraft Company will repay Milwaukee County the local share cost of the apron reconstruction project with interest, estimated to be \$229,000 over a 20-year period.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 9/27/13

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: AMEND AIRPORT AGREEMENT NO. HP-996 BETWEEN MILWAUKEE COUNTY AND CESSNA AIRCRAFT COMPANY

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Wisconsin State Bureau of Aeronautics Aid is available for this project. The required local match of 20% will initially be funded by the Airport Development Fund. Cessna will repay Milwaukee County the local share cost over a 20-year period at 5% interest. There is no direct County fiscal impact.

Department/Prepared By C. Barry Bateman, Airport Director

Authorized Signature _____

Did DAS-Fiscal Staff Review? ☐ Yes ☒ No

Did CBDP Review?² ☐ Yes ☐ No ☒ Not Required

H:\Private\Clerk Typist\Aa01\TPW&T 13\10 - October 13\FISCAL NOTE - Cessna Lease Amendment.doc

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

DATE: September 25, 2013

TO: Supervisor Marina Dimitrijevic, Chairwoman, County Board of Supervisors
Supervisor Michael Mayo, Sr., Chairman, Transportation, Public Works and Transit Committee

FROM: Brian Dranzik, Director, Department of Transportation

SUBJECT: **GRANT RECIPIENT IN THE AMOUNT OF \$12,075 FOR MILWAUKEE COUNTY GENERAL MITCHELL AIRPORT IN COOPERATION WITH THE WISCONSIN STATE ENERGY OFFICE (SEO) AND WISCONSIN CLEAN CITIES (WCC)**

POLICY

Milwaukee County Board approval is required for grant application acceptance.

BACKGROUND

In cooperation with the Wisconsin State Energy Office (SEO) and Wisconsin Clean Cities (WCC), Milwaukee County General Mitchell Airport will participate in the Natural Gas & Propane Vehicle Deployment Project – funded by the Wisconsin Clean Transportation Program– by purchasing (1) medium-duty shuttle vehicle powered by compressed natural gas. The Airport currently operates (12) medium-duty shuttle vehicles powered by compressed natural gas to transport passengers and employees from remote parking lots to the Airport’s main terminal with the Airport replacing at least (1) shuttle vehicle on a yearly basis. The \$12,075 grant covers 50% of the incremental cost of the compressed natural gas option for the \$82,200 shuttle vehicle. The cost of the shuttle is funded with parking revenues. The goal of this program is to achieve significant reductions in fuel and emissions in Wisconsin by supporting the increased use of alternative-fuel vehicles (AFVs) and advanced technology vehicles.

RECOMMENDATION

The Director, Department of Transportation, recommends acceptance of the \$12,075 grant from the Wisconsin State Energy Office (SEO) and Wisconsin Clean Cities (WCC) for the purchase of one (1) medium-duty shuttle vehicle.

FISCAL NOTE

No direct Milwaukee County fiscal impact. Funding for the vehicle is in the parking revenue budget.

Prepared by: Greg G. Failey, Airport Environmental Manager

Approved by:

Brian Dranzik, Director,
Department of Transportation

C. Barry Bateman
Airport Director

File No.
Journal

(Item) From the Director, Department of Transportation, requesting acceptance of a \$12,075 grant from the Wisconsin State Energy Office (SEO) and Wisconsin Clean Cities (WCC) by recommending adoption of the following:

RESOLUTION

WHEREAS, the Wisconsin State Energy Office (SEO) administers the Natural Gas and Propane Vehicle Deployment Project Program to provide funds for eligible activities; and

WHEREAS, the Wisconsin State Energy Office (SEO) has approved an award in the amount of \$12,075 for the purchase of (1) medium-duty shuttle vehicle powered by compressed natural gas to transport passengers and employees at the Airport; and

WHEREAS, the \$12,075 grant covers 50% of the incremental cost of the compressed natural gas option for the \$82,200 shuttle vehicle; the cost of the shuttle is funded with parking revenues; and

WHEREAS, the goal of this program is to achieve significant reductions in fuel and emissions in Wisconsin by supporting the increased use of alternative-fuel vehicle (AFVs) and advanced technology vehicles; now, therefore,

BE IT RESOLVED, the Director, Department of Transportation, recommends acceptance of the \$12,075 grant from the Wisconsin State Energy Office (SEO) and Wisconsin Clean Cities (WCC) for the purchase of one (1) medium-duty shuttle vehicle.

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MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 9/25/13

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: Grant Recipient in the Amount of \$12,075 for Milwaukee County General Mitchell Airport in Cooperation with the Wisconsin State Energy Office (SEO) and Wisconsin Clean Cities (WCC).

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure	12,075	
	Revenue	12,075	
	Net Cost	0	

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

There is no direct fiscal impact on Milwaukee County. Funding for the vehicle is in the parking revenue budget.

Department/Prepared By Greg G. Failey, General Mitchell Airport

Authorized Signature _____

Did DAS-Fiscal Staff Review? ☐ Yes ☒ No

Did CBDP Review?² ☐ Yes ☐ No ☒ Not Required

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

DATE: September 26, 2013

TO: Supervisor Marina Dimitrijevic, Chairwoman, County Board of Supervisors
Supervisor Michael Mayo, Sr., Chairman, Transportation, Public Works and Transit Committee

FROM: Brian Dranzik, Director, Department of Transportation

SUBJECT: **TSITSOS/ECONOMY PARKING LICENSE AND TRANSFER OF PROPERTY**

POLICY

Airport property transactions require County Board approval.

BACKGROUND

In late 2012 during an inventory of property at General Mitchell International Airport, Airport staff discovered a section of land-locked real estate located at 5866 S. 6th Street (the "Property") belonging to a trust held by the Tsitsos family (its dimensions are approximately 291 ft. x 23 ft. [6,289 sq. ft.]). This property has become completely surrounded by County-owned airport property as a result of the Runway Safety Area Project. Consequently, the Property is no longer accessible.

The Tsitsos family owns and operates an off-airport parking lot ("Economy Parking") located at 5855 S. Howell Ave. across from the airport. Rather than acquiring the 6th Street Property in a condemnation proceeding, Airport staff and the Tsitsos came to agreement on terms to transfer the land-locked Property to the County. In exchange for the transfer of the Property to the County, the Tsitsos requested a license to use a tract of County land bordering their Economy Parking lot at 5855 S. Howell Ave., with the understanding that the licensed property could only be used for the storage of snow plowed from Economy Parking during winter months. This agreement saves the County the time and expense of acquiring the land-locked Tsitsos Property. The licensed property is at the west end of the Economy Parking lot. The licensed land's dimensions are approximately 215 ft. x 60 ft. Exhibits are attached showing both parcels.

RECOMMENDATION

Because the exchange of a license to use County property for a transfer of title to the land-locked Tsitsos Property is cost effective and relieves the County from initiating condemnation proceedings, Airport staff recommends the Committee ratify the quitclaim deed obtained for the Tsitsos property and license for use of the Airport property located in the Runway Safety area for Runway 7R.

FISCAL NOTE

The agreement to quitclaim the property in exchange for use of airport property avoided condemnation and acquisition costs. The consideration is for a license to use county Airport property for snow storage at the west end of the property at 5855 S. Howell Avenue.

Prepared by: Tim Karaskiewicz, Deputy Airport Dir., Business & Commercial Development

Approved by:

Brian Dranzik, Director
Department of Transportation

C. Barry Bateman
Airport Director

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(ITEM) From the Director, Department of Transportation, requesting authorization to ratify the exchange of a license to use County property for a transfer of title to the land-locked Tsitsos property at General Mitchell International Airport (GMIA) by recommending the adoption of the following.

A RESOLUTION

WHEREAS, in late 2012 during an inventory of property at GMIA, Airport staff discovered a section of land-locked real estate located at 5866 S. 6th Street (the "Property") belonging to a trust held by the Tsitsos family (its dimensions are approximately 291 ft. x 23 ft. [6,289 sq. ft.]); and

WHEREAS, this Property has become completely surrounded by County-owned airport property as a result of the Runway Safety Area Project; and

WHEREAS, consequently, the Property is no longer accessible; and

WHEREAS, the Tsitsos family owns and operates an off-airport parking lot ("Economy Parking") located at 5855 S. Howell Ave. across from the airport; and

WHEREAS, rather than acquiring the 6th Street Property in a condemnation proceeding, Airport staff and the Tsitsos came to agreement on terms to transfer the land-locked Property to the County; and

WHEREAS, in exchange for the transfer of the Property to the County, the Tsitsos requested a license to use a tract of County land bordering their Economy Parking lot at 5866 South 6th St., with the understanding that the licensed property only be used for the storage of snow plowed from Economy Parking during winter months; and

WHEREAS, this agreement saves the County the time and expense of acquiring the land-locked Tsitsos Property; and

WHEREAS, the licensed property is at the west end of the Economy Parking lot; and

BE IT RESOLVED, that the Transportation, Public Works and Transit Committee, at its meeting on October 23, 2013, recommended approval (vote) that the Milwaukee County Board ratify the quitclaim deed obtained for the Tsitsos property and license for use of the Airport property located in the Runway Safety Area for Runway 7R.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 9/26/13

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: Tsitsos/Economy Parking License and Transfer of Property

FISCAL EFFECT:

- ☒ No Direct County Fiscal Impact
- ☐ Existing Staff Time Required
- ☐ Increase Operating Expenditures
(If checked, check one of two boxes below)
- ☐ Absorbed Within Agency's Budget
- ☐ Not Absorbed Within Agency's Budget
- ☐ Decrease Operating Expenditures
- ☐ Increase Operating Revenues
- ☐ Decrease Operating Revenues
- ☐ Increase Capital Expenditures
- ☐ Decrease Capital Expenditures
- ☐ Increase Capital Revenues
- ☐ Decrease Capital Revenues
- ☐ Use of contingent funds

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

The agreement to quitclaim the property in exchange for use of airport property avoided condemnation and acquisition costs. The consideration is for a license to use county property for snow storage at the west end of the property at 5855 S. Howell Avenue.

Department/Prepared By: Tim Karaskiewicz, Deputy Airport Director, Business & Commercial Development

Authorized Signature _____

Did DAS-Fiscal Staff Review? ☐ Yes ☒ No

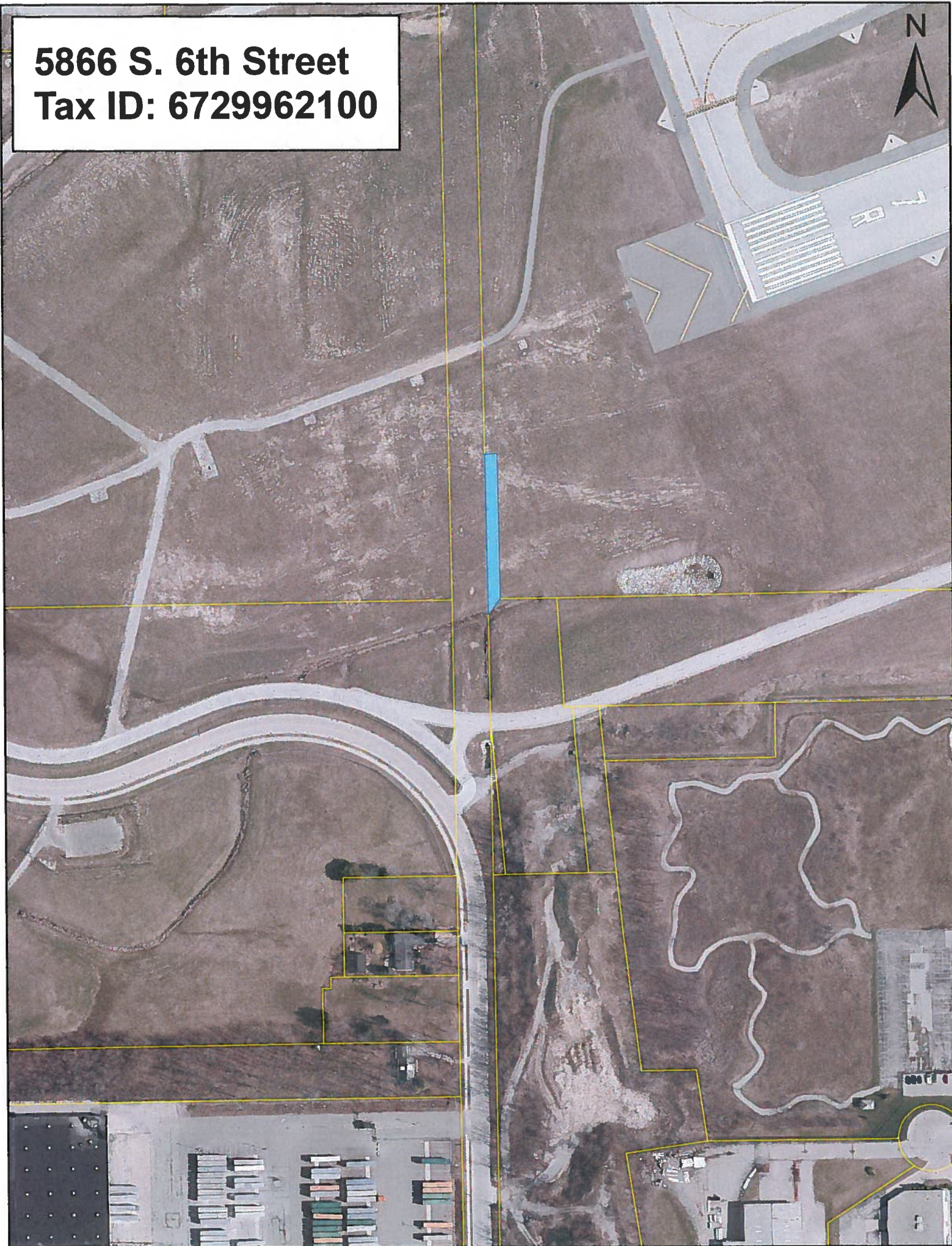
Did CBDP Review?² ☐ Yes ☐ No ☒ Not Required

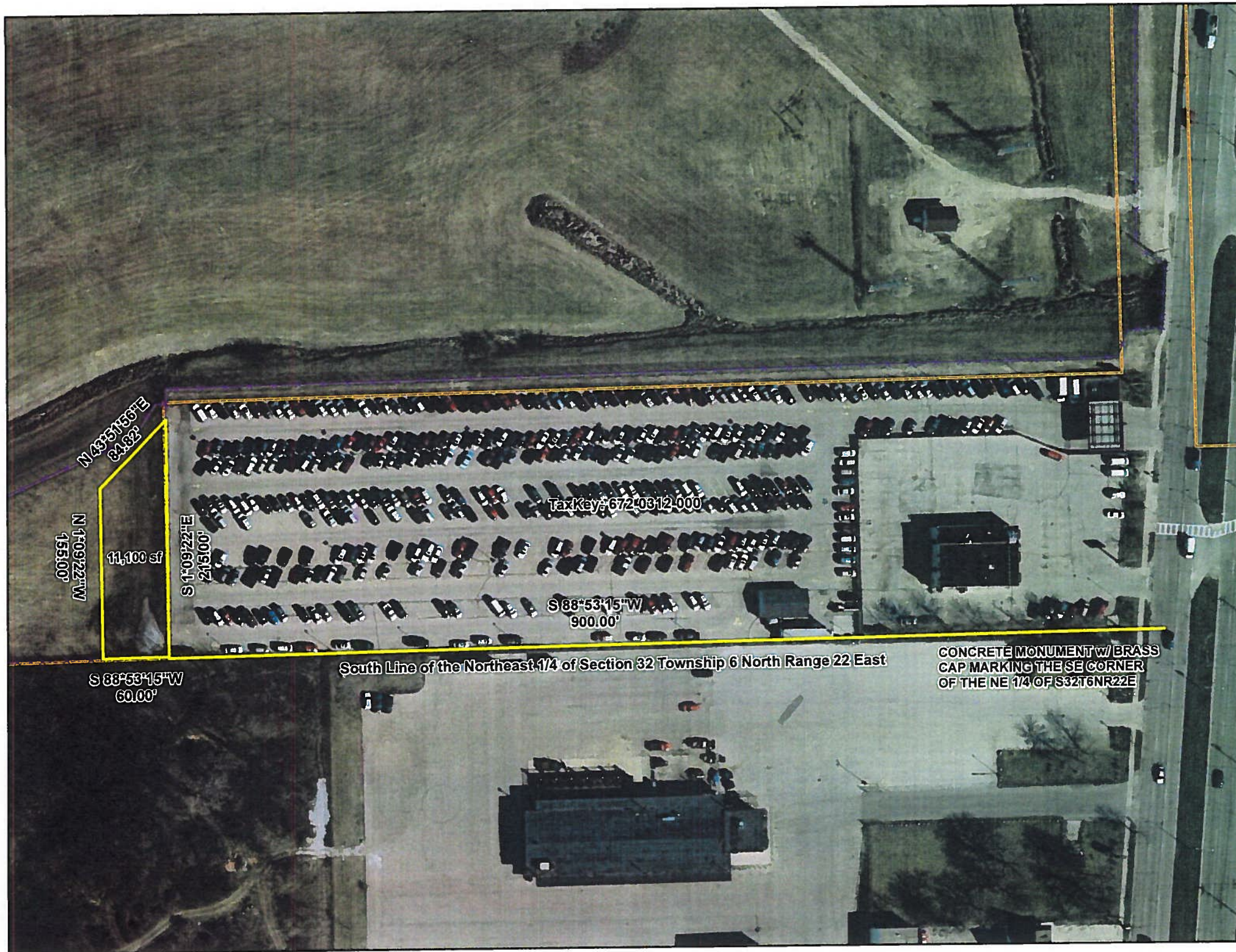
H:\Private\Clerk Typist\Aa01\TPW&T 13\10 - October 13\FISCAL NOTE - Tsitsos Property.doc

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.

5866 S. 6th Street
Tax ID: 6729962100





N 43°51'56"E
84.82'

N 1°09'22"W
153.00'

11,100 sf

S 1°09'22"E
215.00'

Tax Key: 672-0312-000

S 88°53'15"W
900.00'

S 88°53'15"W
60.00'

South Line of the Northeast 1/4 of Section 32 Township 6 North Range 22 East

CONCRETE MONUMENT w/ BRASS
CAP MARKING THE SE CORNER
OF THE NE 1/4 OF S32T6NR22E

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

DATE: September 25, 2013

TO: Supervisor Marina Dimitrijevic, Chairwoman, County Board of Supervisors
Supervisor Michael Mayo, Sr., Chairman, Transportation, Public Works and Transit Committee

FROM: Brian Dranzik, Director, Department of Transportation

SUBJECT: **AGREEMENT BETWEEN THE WISCONSIN ROCKHOUNDS SELECT BASEBALL CLUB AND MILWAUKEE COUNTY FOR THE DEVELOPMENT OF THE BASEBALL DIAMOND AND PLAYING FIELDS AT LAWRENCE J. TIMMERMAN AIRPORT**

POLICY

Agreements with terms longer than one (1) year require County Board approval.

BACKGROUND

Under authority of the Milwaukee County Board of Supervisors (Journal of Proceedings July 8, 1965, File No. 65-967, pages 1251-2) Milwaukee County entered into a permit effective July 1, 1965, with Milwaukee Northwest Little Baseball League for the use of a plot of land, approximately 400 feet by 400 feet, situated on the premises of the Lawrence J. Timmerman Airport (LJTA) for the conduct of its baseball activities. The permit was amended to include additional land for additional baseball diamonds. Milwaukee Northwest Little Baseball League used and maintained the permitted premises until the league dissolved in 2013. Wisconsin Rockhounds Select Baseball Club, Inc. ("Wisconsin Rockhounds") has requested to take over the care and maintenance responsibilities of the plot of land for the conduct of its baseball activities.

Airport staff issued an Agreement for Issuance of a Temporary Right-of-Entry, so the Wisconsin Rockhounds could make preparations for its 2014 baseball season. Wisconsin Rockhounds is now requesting to enter into a longer-term agreement for five (5) years beginning April 1, 2014 and ending March 31, 2019. The agreement requires the Wisconsin Rockhounds to maintain the premises, insure its operations on the premises, and agree to the standard contractual requirements of Milwaukee County. Wisconsin Rockhounds has also agreed to work with other baseball leagues so other leagues can use the baseball fields at LJTA.

RECOMMENDATION

Airport staff recommends that Milwaukee County enter into a long-term agreement with Wisconsin Rockhounds for the use of a plot of land situated on the premises of LJTA for the conduct of baseball activities under the standard terms and conditions for similar agreements, inclusive of the following:

1. The term of agreement shall be five (5) years effective April 1, 2014, and ending March 31, 2019.
2. The agreement will include provisions for the Wisconsin Rockhounds to maintain the premises.

3. The agreement shall contain the current standard insurance and environmental language for similar users of airport lands.
4. The agreement will include a provision requiring Wisconsin Rockhounds to work with other baseball leagues so other leagues can use the baseball fields at LJTA.

FISCAL NOTE

The agreement is a non-revenue agreement. All expenses associated with the care and maintenance of the plot of land shall be the responsibility of Wisconsin Rockhounds.

Prepared by: Steven A. Wright, A.A.E. – Airport Properties Manager

Approved by:

Brian Dranzik, Director,
Department of Transportation

C. Barry Bateman
Airport Director

(Item) From the Director, Department of Transportation, and the Airport Director, requesting County Board approval to enter into an agreement between The Wisconsin Rockhounds Select Baseball Club for the development of the baseball diamond and playing fields at Lawrence J. Timmerman Airport by recommending adoption of the following:

RESOLUTION

WHEREAS, Milwaukee County entered into a permit on July 1, 1965, with Milwaukee Northwest Little Baseball League for the use of a plot of land, approximately 400 feet by 400 feet, situated on the premises of the Lawrence J. Timmerman Airport (LJTA) for the conduct of its baseball activities; and

WHEREAS, the permit was amended to include additional land for additional baseball diamonds; and

WHEREAS, Milwaukee Northwest Little Baseball League took care of and maintained the permitted premises until the League dissolved in 2013; and

WHEREAS, Wisconsin Rockhounds Select Baseball Club, Inc. ("Wisconsin Rockhounds") requested to take over the care and maintenance responsibilities of the plot of land for the conduct of its baseball activities; and

WHEREAS, Airport staff issued an Agreement for Issuance of a Temporary Right-of-Entry, so the Wisconsin Rockhounds could make preparations for its 2014 baseball season; and

WHEREAS, Wisconsin Rockhounds is now requesting to enter into a long-term permit for the use of a plot of land for the conduct of baseball activities; and

WHEREAS, Airport staff recommends that Milwaukee County enter into a long-term permit for the use of a plot of land situated on the premises of LJTA for the conduct of baseball activities under the standard terms and conditions for similar agreements, inclusive of the following:

1. The term of agreement shall be five (5) years effective April 1, 2014, and ending March 31, 2019.
2. The agreement will include provisions for the Wisconsin Rockhounds to maintain the premises.
3. The agreement shall contain the current standard insurance and environmental language for similar users of airport lands.

- 47
48 4. The agreement shall require the Wisconsin Rockhounds to work with other
49 baseball leagues so other leagues can use the baseball fields at LJTA.; and
50

51 WHEREAS, the Transportation, Public Works and Transit Committee, at its
52 meeting on October 23, 2013, recommended approval (vote) that Milwaukee
53 County enter into a longer term permit with Wisconsin Rockhounds for the use of a plot
54 of land situated on the premises of LJTA for the conduct of baseball activities, now,
55 therefore,
56

57 BE IT RESOLVED, that the Director of Transportation and the Airport Director
58 are hereby authorized to enter into a longer-term permit with Wisconsin Rockhounds for
59 the use of a plot of land situated on the premises of LJTA for the conduct of baseball
60 activities.
61

62 H:\Private\Clerk Typist\Aa01\TPW&T 13\10 - October 13\RESOLUTION - Wisconsin Rockhounds.docx

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 9/25/13

Original Fiscal Note ☒

Substitute Fiscal Note ☐

SUBJECT: AGREEMENT BETWEEN THE WISCONSIN ROCKHOUNDS SELECT BASEBALL CLUB AND MILWAUKEE COUNTY FOR THE DEVELOPMENT OF THE BASEBALL DIAMOND AND PLAYING FIELDS AT LAWRENCE J. TIMMERMAN AIRPORT

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

The agreement is a non-revenue agreement. All expenses associated with the care and maintenance of the plot of land shall be the responsibility of Wisconsin Rockhounds

Department/Prepared By Steven Wright, Airport Properties Manager

Authorized Signature _____

Did DAS-Fiscal Staff Review? ☐ Yes ☒ No

Did CBDP Review?² ☐ Yes ☐ No ☒ Not Required

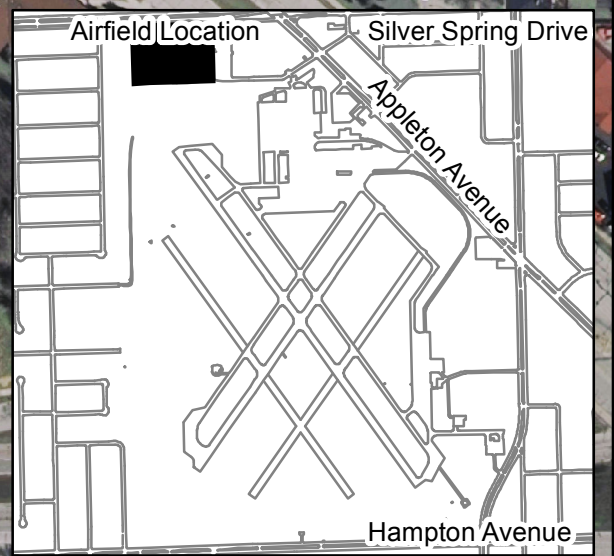
H:\Private\Clerk Typist\Aa01\TPW&T 13\10 - October 13\FISCAL NOTE - Wisconsin Rockhounds.docx

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.

LAWRENCE J. TIMMERMAN AIRPORT
Permitted Premises

Silver Spring Drive



Permitted Premises

WISCONSIN ROCKHOUNDS SELECT BASEBALL CLUB, INC.
Exhibit A
October 2013





Community Business Development Partners

MILWAUKEE COUNTY

Ruben L. Anthony Jr, Ph.D. • Interim Director, DBE Liaison Officer, ACDBE Liaison Officer

DATE: September 6, 2013

TO: Supervisor Marina Dimitrijevic, Chair, County Board of Supervisors
Supervisor Patricia Jursik, Chair, Economic & Community Development Committee
Supervisor Michael Mayo, Sr., Chair, Transportation, Public Works & Transit Committee

FROM: Ruben Anthony, Interim Director, Community Business Development Partners

SUBJECT: FAA Audit Status Report

BACKGROUND

The U.S. Department of Transportation Federal Aviation Administration (FAA) conducted a site visit from July 9 – 11, 2013. The purpose of the visit was to review the monitoring and enforcement of Milwaukee County's Disadvantaged Business Enterprise (DBE) and the Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs. The review was conducted by Nancy Cibic and Dolores Leyva. The FAA has the responsibility to ensure that recipients of federal aid are in compliance with 49 CFR 26 and CFR 23.

FAA Compliance Review

The FAA identified six areas that required follow-up by the CBDP partners. Four items were construction related and two were related to Concessions.

1. In regards to construction, the FAA recommended that there be a clear separation between locally funded projects and federally funded airport construction projects. To comply, the forms have been changed and new forms have been distributed.
2. The FAA recommended that CBDP make more frequent airport site visits and that all active projects be visited by the AC/DBELO. A plan of action is due by 9/30/13. Additionally, a more comprehensive monitoring form (DBE-05, DBE Site Monitoring Checklist) is being utilized by CBDP in conjunction with the current DBE-21 Project Verification Questionnaire. This is being coupled with more consistent, unannounced worksite visits to occur according to project schedule(s) on a basis no less frequently than monthly, and desk audits of routine invoicing on contracts to occur on a monthly basis.
3. The FAA has noted that the Airport does not have a "written certification" procedure confirming that contracting records are being reviewed. They recommend that the airport certifies that contracting records are being reviewed. A plan of action is due by 9/30/13. The DBE-05 Site Monitoring and Checklist approach will be used to document that "written certification" has occurred. This information will be collected during site visits, maintained in project files at the airport and in the CBDP office.
4. The FAA has stated that there is no evidence that random verifications are being done to determine who orders and pays for the necessary supplies being used by DBE subcontractors. They recommend that CBDP submit an updated process that incorporates this requirement.

The updated process is due by 9/30/13. The DBE-05 includes questions that requires the identification of the person who orders material and who pays for materials be identified, and that orders/invoices are documented for verification. This information will be collected during site visits, maintained in project files at the airport and in the CBDP office.

5. The FAA has noted that in Airport Concessions, there is no "written certification" confirming that contracting records are being reviewed. They recommend that the airport certifies that contracting records are being reviewed. A plan of action is due by 10/31/13. The DBE-05 speaks directly to items such as material/supplies ordering and acquisition, and requires review of invoices, lease agreements, payroll records, and other such pertinent documentation. This is being coupled with more consistent, unannounced concession operations visits to occur on a basis no less frequently than monthly, and desk audits of routine reporting on concessions to occur on a quarterly basis.
6. In the Concessions area, the FAA identified that the Airport was not able to provide documentation to demonstrate that existing joint ventures have been reviewed. They recommend that CBDP submit an updated process that incorporates this requirement by 9/30/13. To comply, CBDP has updated its process to require that all existing Joint Venture be reviewed for compliance and its impact on ACDBE goals (due date 9/31/13). A review of the existing joint venture agreement with Paradies is underway to verify that it is in compliance with the FAA Joint Venture Guidance. The counting of ACDBE participation will be adjusted if deemed necessary. A copy of the Joint Venture will be submitted along with the findings by 09/30/13.

The CBDP has made many of these administrative changes and will complete each issue before their due date.

RECOMMENDATION

CBDP prepared this informational report, and proposes that it be received and filed, as such.

Approved by:

Ruben L. Anthony Jr, Ph.D.
Interim Director, CBDP

CC: Chris Abele, Milwaukee County Executive



COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

DBE SITE MONITORING CHECKLIST

Checklist Instructions:

1. To be completed by the Project Manager/Contract Compliance Coordinator for each DBE.
2. **If at any time a DBE is observed not performing a CUF or if there are any items that are suspicious, red flags or warrant further attention, this must be reported to the Community Business Development Partners DBE Liaison Officer immediately.**
3. Submit the completed form to Community Business Development Partners, 2711 W Wells St, Milwaukee, WI 53208 or via email to CBDPCompliance@milwcnty.com

Project Information

Date of Review: _____ Reviewer's Name: _____

Contract Number	Project Number
Prime Contractor	DBE Firm

Describe the type of work observed: _____

Management

Name of on-site representative
Employer – verify with ID or Uniform or any other pertinent document ie business card
Name of direct manager/supervisor of representative
Title
Employer

Who does the onsite representative call for?

Hiring and Firing Employees	
Hiring and Firing Contractors	
Quality Problems	
Material Delivery	
Other	



COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

Has the DBE subcontracted any work? If yes fill out the information below

Name of Subcontractor and phone number	Indicate if contractor is a DBE	Amount subcontracted

Key Questions – it may require visit to DBE firm's Administrative Office

Is the DBE owner onsite? Yes No

Ask how often the owner has visited the site?

Where are payroll records?	Inspect Payroll Records
Findings:	

Where are records of materials purchases?	Inspect Invoices or Receipts
Findings:	



COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

Equipment including Trucks

Major Equipment Used	Serial Number	DBE's Markings?		DBE's Operator?		Leased?	
		Yes or No	If no, list other company's markings if seen	Yes or No	If no, list company operator works for	Yes or No	If yes, list company leased from

Attach additional sheets if necessary

For lease equipment, requests copies of lease agreements

Workforce

Identify employees on premises during visit. Check against payroll records.

Name/badge	Title	Time Employed with DBE



COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

Materials

In order to verify the DBE contractor ordered and paid for the materials they have agreed to purchase in their subcontract, the DBE must submit copies of all invoices from each of their suppliers.

Did the DBE order and pay for materials?

Findings:

Performance

Based on your assessment, does the DBE appear to be executing the work of the contract by actually performing, managing, and supervising the work involved? YES ____ NO ____

Recommended Action(s):

Signature of reviewer: _____

Reviewer must submit a copy of this form to CDBP DBELO



COMMUNITY BUSINESS DEVELOPMENT PARTNERS MILWAUKEE COUNTY

DBE is a regular Dealer or Manufacturer

Does the dealer have a business that sells to the public on a routine basis on the product being supplied?

Does the business stock the product for the use on the project as a normal stock item?

Who is delivering and unloading the material?

Who are the material invoices made out to?

In whose name are materials shipped?



Project Compliance Verification Questionnaire

Project Information Label

Name _____ Interview Date _____

Address _____ Ethnicity _____ Gender _____

Employer _____ How long have you worked for them? _____

Date started **on this project** _____ What is your hourly wage rate **on this project**? _____

Trade or Occupation _____ Union Member Yes No Local # _____

Type of work you do/job duties **on this project** _____

Truck Driver? Yes No If yes, who owns the truck? _____

Who is your supervisor/foreman? _____ Are you an Apprentice? Yes No

Do you know where job postings are located? Yes No

Are you paid overtime after 10 hours per day? Yes No

Are you paid overtime after 40 hours per week? Yes No

Are you paid time and a half for overtime work and work on Saturdays, Sundays and certain holidays? Yes No

Have you witnessed any discrimination on this project? Yes No If Yes, explain _____

What type of benefits do you receive? Health Pension Vacation Holiday Other _____

Does your employer take any unauthorized deductions from your pay (company tools, clothing, damage to company property, etc.)?
Yes No If Yes, explain _____

How are you paid? Cash Check/Direct Deposit Are you paid at least once a week? Yes No

Do you make out your own timecard? Yes No Have you ever had any problems with your wages? Yes No

If Yes, explain _____

If you believed that you were not being paid correctly, do you know who to see to file a complaint? Yes No

**Keep an accurate record of hours worked and work performed, including truck # and equipment used,
because you must prove that a wage underpayment has actually occurred.**

Do you have any complaints concerning you work on this project? Yes No If Yes, explain _____

Other Comments _____

Interviewed by _____ Project Field Staff Reviewed by _____ Contract Compliance Manager, DBE

Detach and give to employee for contact/follow-up.

Contract Compliance Team, CBDP
2711 W Wells St / Milwaukee WI / 53208
414.278.4747 office / 414.223.1958 fax

Project Information Label

1. Who is your company's Equal Employment Opportunity (EEO) official?
 - a. How can you contact him/her?
2. Where can you find your company's policies on equal opportunity, non-discrimination and/or sexual harassment?
 - a. Have you ever looked at this information? Yes ☐ No ☐
 - b. If yes, how did you get the information? Meeting ☐ Verbal ☐ Training ☐
Manual/Handouts ☐ Posting ☐
3. Who would you contact regarding discrimination and harassment issues or complaints?
4. Has your work experience been free of harassment, intimidation, and/or coercion on the job sites and company facilities? Yes ☐ No ☐
 - a. If No, document (and seek as specific detail as possible)
5. Where would you go for assistance with a personnel concern or complaint?
6. Have you been asked to refer qualified applicants? Yes ☐ No ☐
7. Have you been informed about training opportunities available (union/private)? Yes ☐ No ☐
 - a. What type of training has been offered to you?
8. Have you been informed about promotions with this company? Yes ☐ No ☐
 - a. If Yes, what are the steps that a person must go through for a promotion?
9. Have you worked with women or ethnic minorities on this crew? Yes ☐ No ☐
 - a. If no, why do you think there are not any employed on this crew?



Community Business Development Partners

MILWAUKEE COUNTY

RUBEN L ANTHONY, Jr, PhD • Interim Director, DBE Liaison Officer, ACDBE Liaison Officer

INTER-OFFICE COMMUNICATION

DATE: October 2, 2013

TO: Supervisor Marina Dimitrijevic, Chair, County Board of Supervisors
Supervisor Patricia Jursik, Chair, Economic & Community Development Committee
Supervisor Michael Mayo, Sr., Chair, Transportation, Public Works & Transit Committee

FROM: Ruben L. Anthony Jr. Ph.D., Interim Director, Community Business Development Partners

SUBJECT: **DBE WAIVER REPORT FOR AUGUST 2013**

DIRECTIVE

At the request of the Committee on Economic and Community Development, the Community Business Development Partners Department (CBDP) provides a monthly update on the Disadvantaged Business Enterprise (DBE) utilization waivers requested by, and granted to, Milwaukee County departments/divisions.

BACKGROUND

CBDP is responsible for designing, implementing, monitoring and enforcing Milwaukee County's DBE Program in order to maintain compliance with Federal Regulations and Milwaukee County Ordinances. Implementation of the Program includes assignment of participation goals on, both, Federal and County funded contracts, as well as monitoring and enforcing compliance of these contracts. Participation goals may only be established on contracts where opportunities exist for ready, willing and able certified firms to perform commercially useful functions related to the satisfaction of those contracts.

In 1999, the United States Department of Transportation (USDOT) implemented DBE Program rules with seven (7) key objectives directed at creating a level playing field on which certified firms could compete fairly for USDOT-assisted contracts. This legislation, 49 CFR Parts 23 and 26, requires all recipients of USDOT funds to establish and maintain a DBE program that, not only, complies with the intent and language of the legislation, but that has also been reviewed and approved by USDOT. As a result of public and private stakeholder input, Milwaukee County determined and approved, by action of the County Executive and the full County Board, to establish and maintain a program based upon the Federal DBE Program rules and standards for all of its contracts. This action designed to ensure the same level of commitment and consistency in approach to the facilitation of small business involvement when and where appropriate has been enacted in Chapter 42 of the Milwaukee County Code of General Ordinances.

Milwaukee County is required to provide and establish contract opportunities for certified firms on its projects based upon the number of ready, willing and able firms certified to perform within the scope(s) of each of these projects. Only firms certified through Wisconsin's Unified Certification Program (UCP), a consortium of over 24 municipalities and agencies throughout the State, count as ready, willing and able firms for this purpose. Four of the UCP members serve as certifying partners for the consortium, Milwaukee County, WisDOT, Dane County, and the City of Madison. Milwaukee County has the responsibility of verifying and maintaining the status of 348 of the 831 currently certified firms throughout the State, while processing all new applications.

WAIVER REQUESTS

When CBDP receives a waiver request from a department/division, staff thoroughly reviews it and available supporting documentation before rendering a determination. The Interim Director may require staff to gather more comprehensive information or to provide more detailed clarification regarding any identified issues prior to issuing a determination.

WAIVER REPORT SUMMARY

The figures below include Professional & Management Service and Capital Improvement/Maintenance contracts awarded during August of 2013. This report does not include contracts awarded by the Procurement Division of the Department of Administrative Services processes under Chapter 32. Please see the attachment for waivers requested as broken out by owner department, contractor/consultant awarded, scope of services rendered, total contract amounts, and reason for approval.

Total Contracted Dollars for Period	\$ 1,178,397.83
Percentage of Contracts w/o DBE Participation	19.7%
Total Contracted Dollars w/ Waiver Approval	\$ 43,661.78
Total Contracted Dollars w/o Waiver Approval	\$ 0.00
Percentage of Contracts Waived for Period	3.7%

It is also important to note that the Milwaukee County Code of General Ordinances exempts various contracts from DBE participation consideration review. This exemption appears as Chapter 56.30(2)(a).

Total Contracted Dollars for Period	\$ 1,178,397.83
Total Exempted Contract Dollars	\$ 188,400.00
Percentage of Exempted Contracts for Period	16.0%

RECOMMENDATION

CBDP prepared this informational report, and recommends that it be received and filed, as such.

Approved by:

Ruben L. Anthony Jr., Ph.D.
Interim Director, CBDP

CC: Chris Abele, Milwaukee County Executive

Milwaukee County Community Business Development Partners Department (CBDP)

DBE Waiver Report August 2013

DEPARTMENT	CONSULTANT/CONTRACTOR	SCOPE OF SERVICES	CONTRACT AMOUNT	APPROVAL REASON
<u>Approved Waivers ¹</u>				
District Attorney	Behavioral Consultants	Dr. Deborah Collins of Behavioral Consultants, a forensic psychologist-Olajuwon Bell	1,912.00	Approved Waiver under \$2,000.00
District Attorney	Medical College of Wisconsin	Dr. Alice Swenson of Medical College of WI as an expert witness in a child homicide prosecution	1,600.00	Approved Waiver under \$2,000.00
Medical Examiner	Donald O. Simley II, DDS	Forensic dental examination of submitted postmortem x-rays & records	150.00	Approved Waiver under \$2,000.00
GMIA	BridgeNet International	GMIA - Departure Turn Analysis	19,999.92	FAA Part 150 Noise Study Recommendation
GMIA	Waste Cap Resource Solutions	GMIA - Baggage Claim Building Remodel - Waste/Recycling Program	19,999.86	Non-Profit working w/DNR on Recycling Plan
<u>Contracts Issued Without Review ²</u>				
		NONE	0.00	
<u>Exempted Contracts ³</u>				
Comptroller	Moodys Investors Service	Professional services rendered in connection with the 2013B pension refunding bonds & 2013A CP bonds	51,200.00	Exempted Contract per Chapter 56.30(2)(a)
Comptroller	Standard and Poor's	Analytical services on taxable general obligation refunding bonds & the 2013A Corp Purpose Bonds	40,000.00	Exempted Contract per Chapter 56.30(2)(a)
County Board	Hawk Quindel, S.C., LLC	Legal services	50,000.00	Exempted Contract per Chapter 56.30(2)(a)
GMIA	Moodys Investors Service	Professional services rendered in connection with the 2013A&B GMIA revenue bonds	39,200.00	Exempted Contract per Chapter 56.30(2)(a)
Treasurer	Public Funds Consulting, LLC	Legal Services	8,000.00	Exempted Contract per Chapter 56.30(2)(a)
Total Contract \$ Amount for Period ⁴			\$1,178,397.83	
Total Contract \$ Amount w/o DBE Participation for Period			\$232,061.78	
Percentage w/o DBE Participation			19.7%	
Total Approved Waiver \$ Amount			\$43,661.78	
Total Unapproved Waiver \$ Amount			\$0.00	
Percentage Waived			3.7%	
Total Exempted \$ Amount			\$188,400.00	
Percentage Exempted			16.0%	

¹ Waivers approved by CBDP; within guidelines of Code of General Ordinances

² Contracts issued by Departments in violation of the Code of General Ordinances;
CBDP is made aware of these projects when Accounts Payable forwards new contract information

³ These contracts are exempted from Disadvantaged Business Enterprise participation review within the guidelines of Code of General Ordinance Chapter 56.30(2)(a)

⁴ Total does not include Procurement Division Figures

**COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION**

DATE: October 7, 2013

TO: Supervisor Michael Mayo, Sr., Chairperson, Transportation, Public Works & Transit Committee
Supervisor Patricia Jursik, Chairperson, Economic & Community Development Committee

FROM: Gregory G. High, Director, Architecture, Engineering & Environmental Services Section, Facilities Management Division, Department of Administrative Services

SUBJECT: **Residency of Contractor Employees Working on County Construction Contracts (File No. 10-135), DAS-FM Response to Department on Audit Recommendations – Informational Report**

BACKGROUND

In July of 2013 the Audit Services Division of the County Comptroller Office submitted the County Board a review of the residency of construction workers charged to County construction contracts for payments made over the 19-month period of June 1, 2011 through December 31, 2012. The scope was extended to cover a longer time period than previous reviews to better assess the effectiveness of procedures implemented by the Department of Administrative Services – Facilities Management Division's Architectural, Engineering and Environmental Services (AE&ES) unit beginning July 2010. The new procedures were created to help improve compliance by contractors in achieving their contracted percentage goal of gross payroll paid to Milwaukee County residents over the project period.

The Audit report recommended that overall the procedures in place have the potential to significantly improve participation in construction contracts by County residents. However, a more concerted effort by project management staff in following those procedures is still needed to realize residency goals. The report listed five recommendations that AE&ES management should implement to improve its ability to monitor County residency for each construction project on day-to-day basis. In the following section we list each recommendation and provide AE&ES Sections response.

**AUDIT SERVICES DIVISION RECOMMENDATIONS AND AE&ES SECTION
RESPONSES**

- 1. Establishing and documenting a residency goal for each project, including documenting reasons for which less than a 50% goal was recommended;*

Response: Upon receipt of the draft Audit report in July of 2013 AE&ES Section immediately implemented a requirement that the approved Residency Goal form that establishes the goal for each construction project be attached to the administrative contract award document before it is routed for approval.

2. *Requiring contractors to provide all required forms both during and at the conclusion of each project.*

Response: AE&ES Section has recently experienced significant turnover in the personnel preparing construction contract invoicing for review and approval. At this time, all invoices for construction contract require that a checklist be attached to the invoice that indicates all required the contractor has submitted residency forms. AE&ES Section staff is being re-trained to emphasize that increased scrutiny is required in this area of invoice review. Invoices will not be processed without all the required forms attached.

3. *Verify reported gross payroll information with accompanying reports as they are provided. This includes revising the Resident Utilization Form to improve the accuracy of reported ongoing residency participation. Also, to facilitate this verification, design a system for use by contractors for reporting payroll data on construction projects that provides for the ability to electronically verify residency information.*

Response: AE&ES Section is responding to this recommendation by requiring changes in the invoice processing. Revisions to the paper forms are in process to allow verification of gross payroll information as they are provided. Electronically verifying any of the invoicing items will require significant changes in the current traditional paper submittals for invoice review and paper certificate of payment process. Commitment of additional staff time and resources and collaboration with CBDP, Economic Development and IMSD to integrate an electronic digital solution has begun. Staff is currently in communication with other local municipal agencies that have already automated portions of their contract compliance monitoring. As this may take some time to implement, AE&ES staff will keep the Audit Services Division informed of the progress.

4. *Work with contractors to improve participation as needed while the project is still active for projects underachieving on its residency goals; and*

Response: The contractors now submit with their bid a signed affidavit that they have read and are aware of the Residency Goal provisions of the contract. AE&ES Section staff currently contacts contractors who are having difficulty in meeting the Residency goal. Typically, a formal letter is sent to the contractor that does not submit the forms or is having a having a residency compliance issue. The letter requires that the contractor respond immediately with a strategy to improve the performance. Some contractors respond in a timely fashion. Others do not. We will continue to reach out to contractors during the bidding period, at the beginning of the projects at the construction kick off meetings and during the course of the project to emphasize the residency compliance issues and potential penalties for non-compliance.

Supervisor Michael Mayo, Sr.

Supervisor Patricia Jursik

Page 3 of 4

Date: October 7, 2013

5. Impose available sanctions when contractors fail to provide required documents and achieve residency goals.

Response: Currently, the response to contractors who fail to achieve residency goals is to send a formal letter notifying them that they have not met the goal and if they are awarded another County construction contract in the future and they once again fail to achieve residency goals, one of the following actions will be taken:

- Withhold payment on the contract
- Terminate or cancel the contract
- Debar the contractor from bidding for a period of up to two years
- Resort to any other remedy available to the County at law or in equity

These actions, if imposed, would need to be well thought out in advance. The current DAS-FM policy on imposing these sanctions is to use flexibility with the contractor for an initial failure to achieve residency goal. After the initial failure, the contractor is put on notice that failure in a second contract with Milwaukee County will definitely result in one of the listed actions being taken. To date, we are not aware that we encountered a second failure of a contractor to achieve the residency goal.

Additional considerations are our limited pool of contractors interested in working with Milwaukee County and the willingness by contractors to file claims against the County. These may create more of a problem than we have resources to deal with.

Corporation Counsel has also identified a recently enacted state provision that specifies any public contract “shall be awarded to the lowest responsible bidder” and that

Except when necessary to secure federal aid, **a political subdivision may not use a bidding method that gives preference based on the geographic location of the bidder** or that uses criteria other than the lowest responsible bidder in awarding a contract.

Wis. Stat. § 66.0901(1m)(a)2, (b).

Per Corporation Counsel, the US DOT also prohibits use of “geographical preferences in the evaluation of bids or proposals” in projects using DOT funds. 49 CFR § 18.36(c)(2).

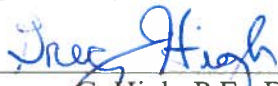
These provisions raise continuing concerns about the scope of the residency goals included in County contracts, at least as they related to "public contracts," which are defined in § 66.0901(c) as

(c) "Public contract" means a contract for the construction, execution, repair, remodeling or improvement of a public work or building or for the furnishing of supplies or material of any kind, proposals for which are required to be advertised for by law.

We will continue to work with Audit Services Division and Corporation Counsel to ensure that the process in place for accumulating payroll data and monitoring compliance is functioning as intended and in compliance with all applicable laws.

Prepared by: Gregory G. High

Approved by:



Gregory G. High, P.E., Director
AE&ES Section, DAS-FM Division
Department of Administrative Services

GGH:

Attachments (1): Audit Informational Report (File No. 10-135)

cc: Chris Abele, Milwaukee County Executive
 Amber Moreen, Chief of Staff, County Executive's Office
 Supervisor Marina Dimitrijevic, Chairperson, County Board of Supervisors
 Kelly Bablitch, Chief of Staff, County Board of Supervisors
 Jenelle Jensen, Chief Committee Clerk, County Board Staff
 Scott B. Manske, County Comptroller
 Jerome J. Heer, Director of Audits, Audit Services Division
 Don Tyler, Director, Department of Administrative Services
 Vince Masterson, Strategic Asset Coordinator, DAS

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: Monday, July 1, 2013

To: Supervisor Marina Dimitrijevic, Chairwoman
Milwaukee County Board of Supervisors

From: Jerome J. Heer, Director of Audits
Audit Services Division, Milwaukee County Office of the Comptroller

Subject: Residency of Contractor Employees Working on County Construction Contracts (File No. 10-135)

We have completed a review of the residency of construction workers charged to County construction contracts for payments made over the 19-month period of June 1, 2011 through December 31, 2012. The review is part of an ongoing monitoring effort directed by a Resolution (File No. 10-135) from a previous session of the County Board. Therefore, please refer the attached memo to the Committee on Transportation, Public Works and Transit, as well as to the Committee on Economic and Community Development, for the July meeting cycle.

Please contact me if you have any questions.



Jerome J. Heer

JJH/cah

cc: Scott B. Manske, CPA, Milwaukee County Comptroller
Kelly Bablitch, Chief of Staff, County Board Staff
Jenelle Jensen, Chief Committee Clerk, County Board Staff

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: July 1, 2013

To: Supervisor Michael Mayo, Sr., Chairman, Transportation, Public Works and Transit Committee
Supervisor Patricia Jursik, Chairperson, Economic and Community Development Committee

From: Jerome J. Heer, Director of Audits

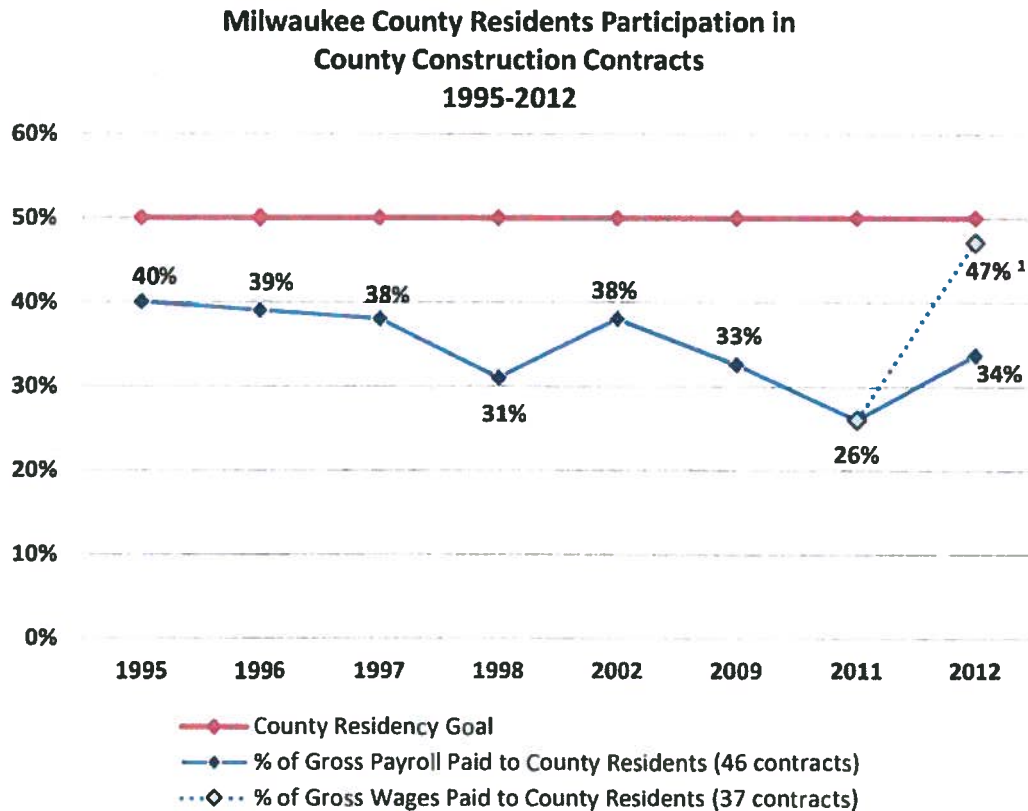
Subject: Residency of Contractor Employees Working on County Construction Contracts (File No. 10-135)

We have completed a review of the residency of construction workers charged to County construction contracts for payments made over the 19-month period of June 1, 2011 through December 31, 2012. The scope was extended to cover a longer time period than previous reviews to better assess the effectiveness of procedures implemented by the Department of Administrative Services – Facilities Management Division's Architectural, Engineering and Environmental Services (AE&ES) unit beginning July 2010. The new procedures were created to help improve contractors' compliance in achieving goals for percentage of gross payroll paid to Milwaukee County residents over the project period.

The overall percentage of gross wages paid to County residents for 37 projects where a residency goal had been established was 47.1% of \$919,543 in reported gross wages. However, we identified an additional \$882,023 paid under nine other projects where it was unclear if a residency goal had been established. For these nine contracts, only 19.8% of total gross wages were paid to County residents. Assuming the standard 50% residency goal should have been applied to these projects, the overall gross wages paid to County residents for all 46 projects drops to 33.7%.

On a project basis, we found goals were met (or being met in the case of open projects) in 16 of the 37 projects (43.2%). Three of the nine projects (33%) missing a documented residency goal had met or were meeting an assumed 50% residency goal.

The following chart shows the results of seven prior reviews since 1995, along with current review. The results of the current review are shown under two scenarios, the first assuming all of the nine contracts with missing Contractor Residency Recommendation Forms were subject to the residency goal (solid line), the second assuming none of the nine had a residency goal (dotted line).



Note ¹ : The 47% rate applies if no residency goal is required for the nine contracts missing the recommendation form (results based on 37 contracts)

Source: Payroll information supplied by contractors to the AE&ES unit of DAS-Facilities Management Department of Transportation and Public Works, and reviewed by the Audit Services Division

Contracts Without a Residency Requirement

It should be noted that contractor residency requirements do not apply to all projects. Residency requirements are waived in some contracts due to the specialty nature of the project and the lack of County expertise to perform the work.

Additionally, projects involving direct federal or state pass-through funding are expected from the requirement. According to a Corporation Counsel opinion, "...the County may not apply a geographical preference to projects funded directly by the federal government or by the State when it merely "passes through" federal funds for local projects."

Background

County Board Resolution 95-573 established a residency requirement in County construction contracts. In 2010, a Residency Contracting Workgroup was formed to come up with recommendations to reach the 50% County residency goal and better monitor its achievement. From this, AE&ES formalized procedures for project management staff to follow for all construction contracts. From a procedural standpoint, this included:

1. Preparing a Contractor Residency Recommendation Form to establish the residency goal, and to document reasons for which less than a 50% goal was recommended.
2. Requiring contractors to submit a Resident Utilization Report with every invoice submitted for payment. Contractors are required to report on a cumulative basis the total gross payroll incurred to date, how much of that amount was paid to County residents, and the resulting percentage. This information provides project management staff with the ability to assess compliance with the residency goal on a continuous basis, and take actions noted below if needed to help attain compliance.
3. Upon project completion, requiring contractors to complete, sign and have notarized the Final Payment Affidavit of Compliance With Wage Rate and Contractor Residency Provisions. This form includes a summary of gross payroll dollars paid to both County resident and nonresident workers.

If a contractor is not in compliance with the specifications, the County will notify the contractor in writing of the corrective action that will bring the contractor into compliance. If the contractor fails or refuses to take corrective action as directed, or if the contractor, prime or sub, submits any documents which contain any false, misleading, or fraudulent information, or if the contractor or subcontractor fail to comply with this contract provision, the County may take one or more of the actions listed below.

- Withhold payments on the contract.
- Terminate or cancel the contract, in whole or in part.
- Consider possible debarment of the contractor from bidding for a period of up to two years.
- Any other legal remedies available to the County.

Project management staff need to place more emphasis on following established procedures related to contractor residency.

Specifically, staff need to enforce provisions designed to improve contractor compliance with County residency, and better document actions taken to enforce program requirements. We noted

shortcomings throughout the contract monitoring process which affected project management's ability to consistently achieve residency goals. Specifically,

- Project management staff could not provide us with the Contractor Residency Recommendation Form for 41 projects awarded after the new procedures went into effect in July 2010. This includes a number of federal and state funded projects for which residency goals may not be permitted. However, procedures call for the form to be generated for all projects so that residency goals, or reasons for excluding a residency goal for specific projects, are properly documented.
- Contractors did not routinely submit required Resident Utilization Reports with each request for payment. These forms provide the basis for project management staff to identify contractors who are falling short of their residency goals, and take corrective action as needed.
- The design of the Resident Utilization Report lends itself to improper residency calculations by contractors. We noted 14 projects where contractors overstated the achieved goals on one or more forms submitted to the County during the project. For example, a contractor reported paying 76.4% of its gross wages to County residents on one form, followed by 88.0% on its next submission, whereas the correct percentages were 38.2% and 44.0%, respectively. If the contractors' reported figures were relied upon, project management staff would have concluded that the residency goal was being met, with no follow-up action needed. In nearly all cases, the errors were due to the unnecessarily confusing design of the form, which does not clearly indicate which amounts need to be used for the residency percentage calculation. Using a copy of the form (see attached), we highlight in yellow the amounts that should be used for making the proper residency calculation, and highlight in green the amount erroneously used. A more clearly designed form should prevent such miscalculations in the future.
- Contractors are required to submit documentation supporting gross payroll paid to their workers. This documentation is the basis for summary totals reported on the Resident Utilization Reports, and ultimately the Summary of Gross Payroll Dollars submitted upon project completion. For projects in which contractors submitted both payroll data and Resident Utilization Reports, we found no evidence of project management staff comparing detailed payroll data to amounts reported on accompanying utilization reports (when provided) to verify accuracy. The fact that Resident Utilization Reports contained significant calculation errors in 14 projects reviewed, plus detailed wage data contained no address information for almost 10% of the gross wages (\$171,911) reported in 13 projects, indicates that little more than a cursory review of the data is performed.
- Perhaps one reason this is not done is the labor intensive data entry needed to analyze payroll data. This effort is hampered by the lack of uniformity in the format used by contractors when submitting the data. The County provides a form that contractors may use for reporting their payroll, but there is no requirement for them to do so. Consequently, many contractors submit copies of their own computer-generated payroll reports that can be confusing, often requiring manual calculations to properly reflect fringe benefits paid to workers, an allowable component of gross payroll. This effort could be eliminated by having contractors provide required wage data and other information in an electronic format that better lends itself to verification and analysis.

- Past practice has been for Audit Services Division staff to enter payroll data need for analysis and subsequent reporting on goal achievement. While this effort provides a meaningful product, our results do not provide the same value as if it were done by project management staff on an ongoing basis. Current information would provide project management staff with the ability to identify projects in need of additional efforts to meet contractor residency requirements.
- Project files did not contain evidence of actions that project management staff may have taken to hold contractors accountable for compliance with residency goals before project completion. Discussions with project managers did bring to light some email communication to the contractors, but there was no consistency in documenting such actions in the project files.
- We found no instances where a negative action was taken against a contractor for projects that did not achieve residency goals.

Recommendations

Overall, the procedures in place have the potential to significantly improve participation in construction contracts by County residents. However, a more concerted effort by project management staff in following those procedures is still needed to realize residency goals. To improve its ability to monitor County residency for each construction project on day-to-day basis, we recommend AE & ES management:

1. *Establish and document a residency goal for each project, including documenting reasons for which less than a 50% goal was recommended;*
2. *Require contractors to provide all required forms both during and at the conclusion of each project.*
3. *Verify reported gross payroll information with accompanying reports as they are provided. This includes revising the Resident Utilization Form to improve the accuracy of reported ongoing residency participation. Also, to facilitate this verification, design a system for use by contractors for reporting payroll data on construction projects that provides for the ability to electronically verify residency information.*
4. *Work with contractors to improve participation as needed while the project is still active for projects underachieving on its residency goals; and*
5. *Impose available sanctions when contractors fail to provide required documents and achieve residency goals.*

Supervisor Michael Mayo, Sr., Chairman, Transportation, Public Works and Transit Committee
Supervisor Patricia Jursik, Chairperson, Economic and Community Development Committee
July 1, 2013
Page 6

We will continue to work with AE&ES management to ensure that the process in place for accumulating payroll data and monitoring compliance is functioning as intended. Please contact me if you have any questions.

A handwritten signature in black ink, appearing to read "Jerome J. Heer". The signature is fluid and cursive, with a large initial "J" and a distinct "H".

Jerome J. Heer

JJH/cah

cc: Milwaukee County Board of Supervisors
Kimberly Walker, Corporation Counsel
Don Tyler, Director, Department of Administrative Services
Stephen Cady, Fiscal and Budget Analyst, County Board Staff
Greg High, Director, Architectural Engineering and Environmental Services, DTPW
Kelly Bablitch, Chief of Staff, County Board Staff
Jodi Mapp, Committee Clerk, Transportation, Public Works and Transit Committee
Alexis Gassenhuber, Committee Clerk, Economic and Community Development Committee

DEPARTMENT OF TRANSPORTATION & PUBLIC WORKS
MILWAUKEE COUNTY RESIDENT UTILIZATION REPORT*

NAME OF CONTRACTOR _____ TELEPHONE NO. () _____

ADDRESS _____ CITY _____ STATE _____ (ZIP CODE) _____

PROJECT TITLE _____ PROJECT # _____

CONTRACT RESIDENCY REQUIREMENT - % OF EMPLOYMENT OF THE CONTRACT LABOR FORCE WITH EMPLOYEES THAT
RESIDE WITHIN MILWAUKEE COUNTY BASED ON PERCENT OF GROSS PAYROLL DOLLARS _____%

TOTAL CONTRACT \$ AMT _____ TOTAL CONTRACT PAYMENT YTD \$ _____

CONTRACT % COMPLETE _____%

TOTAL ANTICIPATED GROSS PAYROLL DOLLARS PER CONTRACT \$ _____ (B)

TOTAL ANTICIPATED GROSS PAYROLL DOLLARS TO RESIDENTS PER CONTRACT \$ _____ (C)

TOTAL PAYMENT TO RESIDENTS TO DATE \$ _____ (A)

PAYMENT TO RESIDENTS % OF ANTICIPATED TOTAL TO DATE _____ A/B %**

COUNTY PROJECT/CONTACT PERSON _____ TELEPHONE NO. _____

REPORT FOR THE PERIOD FROM: _____ TO: _____ 201 _____ FINAL REPORT: () Yes () No

Report Prepared by: _____ Approved by: _____
(Name & Title)

*Directions for completion of report - see reverse side

**if the % of gross payroll paid to resident employees is less than the % anticipated at contract completion, please attach an explanation as to why the residency requirement is not being met at this time.

RESIDENCY UTILIZATION FORM

Rev. 06/2010

(ITEM) From the Director of Audits, a report titled "Residency of Contractor Employees Working on County Construction Contracts (File no. 10-135)," requesting County Board action to receive and place on file said report and to concur with the recommendations provided therein, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Audit Services Division of the Milwaukee County Office of the Comptroller has completed a review of the residency of construction workers charged to County construction contracts for payments made over the 19-month period of June 1, 2011 through December 31, 2012, and issued a report summarizing the results of its review on July 1, 2013; and

WHEREAS, a number of recommendations are provided in the report; now, therefore,

BE IT RESOLVED, that the Milwaukee County Board of Supervisors receives and places on file, the Office of the Comptroller – Audit Services Division report, "Residency of Contractor Employees Working on County Construction Contracts (File no. 10-135)," and concurs with the recommendations contained therein.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: July 1, 2013

Original Fiscal Note X

Substitute Fiscal Note ☐

SUBJECT: Resolution to receive and place on file the Milwaukee County Office of the Comptroller – Audit Services Division report, "Residency of Contractor Employees Working on County Construction Contracts (File no. 10-135)," and to concur with the recommendations contained therein.

FISCAL EFFECT:

- ☒ No Direct County Fiscal Impact ☐ Increase Capital Expenditures
- ☒ Existing Staff Time Required ☐ Decrease Capital Expenditures
- ☐ Increase Operating Expenditures (If checked, check one of two boxes below) ☐ Increase Capital Revenues
- ☐ Absorbed Within Agency's Budget ☐ Decrease Capital Revenues
- ☐ Not Absorbed Within Agency's Budget
- ☐ Decrease Operating Expenditures ☐ Use of contingent funds
- ☐ Increase Operating Revenues
- ☐ Decrease Operating Revenues

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

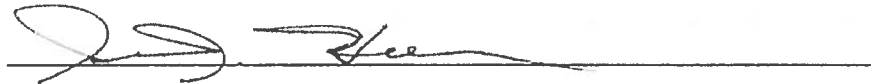
In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

This resolution requires no additional expenditure of funds.

Department/Prepared By Office of the Comptroller – Audit Services Division/Paul Grant

Authorized Signature



Did DAS-Fiscal Staff Review? ☐ Yes ☒ No

Did CBDP Review?² ☐ Yes ☐ No ☒ Not Required

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.

MILWAUKEE COUNTY
Inter-Office Communication

DATE: October 7, 2013

TO: Marina Dimitrijevic, Chairwoman, Milwaukee County Board of Supervisors
 Supervisor Michael Mayo, Chairman, Transportation, Public Works and Transit Committee

FROM: Don Tyler, Director, Department of Administrative Services

SUBJECT: Update Report on Courthouse Fire Recovery (INFORMATIONAL ONLY)

BACKGROUND

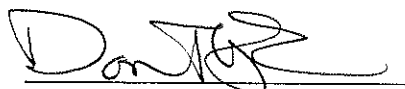
An electrical fire occurred on July 6th affecting three buildings (Courthouse, Safety Building & Criminal Justice Facility) in the Courthouse complex.

REQUEST FOR UPDATE

The Transportation, Public Works and Transit Chair has requested an update and status of the work related to the July 6th fire. We are pleased to provide a verbal update covering the following topics:

- BUSINESS CONTINUITY
- RESTORATION
- INSURANCE COVERAGE
- CAUSE & ORIGIN

Participants will include Don Tyler, Director of Administrative Services, Dennis Dietscher, Interim Director of Risk Management and Gary Waszak, Interim Director of Facilities Management. Staff will provide a broad overview of the topics noted above and will be pleased to take any questions the Committee may have.



Don Tyler, Director
 Department of Administrative Services

cc: Raisa Koltun, Legislative Affairs Director, County Executive Office
 Dennis Dietscher, Interim Director, Risk Management
 Gary Waszak, Interim Director, Facilities Management

COUNTY OF MILWAUKEE

INTER-OFFICE COMMUNICATION

DATE: October 3, 2013

TO: Michael Mayo, Sr., Chair
Transportation, Public Works & Transit Committee

FROM: Brian Dranzik, Director, Department of Transportation

SUBJECT: Informational Report from the Director, Department of Transportation, Submitting an Overview of the 2014 Recommended Budget for the Milwaukee County Department of Transportation

REQUEST:

As requested by the Chair of the Transportation, Public Works & Transit Committee, this preliminary report is an overview of the 2014 Recommended Budget for the Milwaukee County Department of Transportation. All comparisons are made against the 2013 Adopted Budget.

The Milwaukee County Department of Transportation includes the following Divisions: Airport (General Mitchell International Airport and Lawrence J. Timmerman Field), Highway (Highway Maintenance and Transportation Services), Fleet Management, Transit (Fixed Route and Paratransit), and the Director's Office.

The 2014 Recommended Budget for MCDOT includes expenditures of \$273,762,376 revenues of \$255,354,716 and property tax levy of \$18,407,660, which is a decrease of \$190,438 over the 2013 Adopted Budget property tax levy.

	2013 Adopted Budget	2014 Recommended Budget	2013 Adopted/2014 Recommended
	Property Tax Levy	Property Tax Levy	Property Tax Levy Change
			Increase/(Decrease)
Airport	\$ -	\$ -	\$ -
Highway	\$ 1,085,027	\$ 1,203,995	\$ 118,968
Fleet Management	\$ (1,236,827)	\$ (976,984)	\$ 259,843
Transit	\$ 18,878,860	\$ 18,180,649	\$ (698,211)
Director's Office	\$ (128,961)	\$ -	\$ 128,961
	\$ 18,598,099	\$ 18,407,660	\$ (190,438)

BACKGROUND:

Airport

- Expenditures for the Airport decrease approximately \$3,000,000 due to revenue bonds issued in 2013 for which debt service payments will not begin until the 2015 Budget.

- Parking revenues from county-owned parking lots and structures increases \$900,000 from \$26,500,000 to \$27,400,000. This increase in parking revenue is primarily due to a \$0.50 per day rate increase in all parking lots and structures. The parking rate increase is prompted by a decrease in revenues from the airlines due to declining passenger traffic levels caused by both the dehubbing of Frontier Airlines and mergers and consolidations of domestic airlines overall.
- Budgeted crosscharges for Sheriff Security Services are reduced by \$965,000 to approximately \$7,000,000 to more closely reflect the actual level of services that have been and will continue to be provided to the Airport.
- Expenditures for contractual services are adjusted to reflect actual costs paid to the vendor responsible for managing the parking garage and increased costs to market the Airport to both the traveling public and the airlines.
- Expenditures of \$21,656,000 are included in the capital improvements budget for airport projects. Significant capital improvement projects include: \$14,110,000 for GMIA Residential Sound Insulation Program, \$4,500,000 for Airfield Pavement Resurfacing and Rehabilitation, and \$1,300,000 for Terminal Escalator Replacement at GMIA.
- The Manager to Employee ratio at the Airport is approximately 1 to 7.4.

Highway Division

- Property tax levy for the Highway Division increases \$118,968 to reflect an increased level of resources being dedicated to the maintenance of County Trunk Highways. 2.0 full time positions are created that replace two temporary positions at 0.36 FTE each for a 1.28 net FTE increase in Highway Maintenance Workers.
- Budgeted revenue to reimburse Highway Maintenance for work performed on State trunk Highways and Expressways is decreased by approximately \$450,000 which is due to reductions in employee fringe benefit costs and reductions in fleet expenditures eligible to be charged to the State.
- Expenditures of \$11,509,464 are included in the capital improvements budget for design, construction, and right of way on multiple county highway and bridge projects. A major highway billing system project is also included in the operating budget contingent upon receipt of land sale revenues. Significant budgeted capital improvement projects include: approximately \$4,400,000 for design and construction related to S. 76th St. (W. Puetz Rd. to W. Imperial Dr.), \$2,800,000 for design and construction related to S. North Cape Rd. (Hi-View Dr. to W. Forest Home Ave.), and \$960,000 for design and construction related to S. 68th St. (W. Ryan Rd. to House of Corrections).
- The Manager to Employee ratio in Highways is approximately 1 to 8.

Fleet Management

- Debt service increases by \$750,000 to reflect the active repayment of debt for new vehicles and equipment purchased as part of the ongoing fleet replacement program.
- Property tax levy for Fleet Management increases \$259,841 to (\$976,986) and continues to be a function of depreciation expense.
- Expenditures of approximately \$5,800,000 are included in the capital improvements budget to purchase new and replacement equipment for county-wide user departments as part of the fleet replacement program.
- The Manager to Employee ratio in Fleet Management is approximately 2 to 27.

Transit

- Fixed route fares and passes remain at the 2013 budgeted level. Furthermore, phased implementation of the new farebox system occurs during 2014 providing transit riders expanded options such as additional types of passes that can be purchased.
- Expenditures for fixed route transit operations decrease \$1,810,817 primarily due to decreased costs for pension expense and a decrease in budgeted fuel costs from \$3.20 to \$3.00 per gallon.¹ Revenues for fixed route transit increase \$1,041,528 from \$47,593,332 to \$48,634,860, which is primarily comprised of \$785,000 in additional revenue from passenger fares. Within the \$785,000 revenue increase, \$500,000 is estimated to result from the implementation of the new farebox system.
- State and federal revenue for fixed route transit services decreased approximately \$4,650,000 primarily due to a \$4,250,000 decrease in Congestion Mitigation Air Quality (CMAQ) funds used to support the Metro Express Green, Red, and Blue lines; however, these routes are continued in 2014. While Milwaukee County has applied to the Wisconsin Department of Transportation (WisDOT) for additional CMAQ funding, the outcome of that application is unknown at this time.
- Budgeted rides for paratransit decrease 110,029 from 679,429 to 569,400. Paratransit passenger fares are reduced from \$4.00 to \$3.00 per one-way trip. Due to a data entry error related to these changes for paratransit, property tax levy in support of this function is under budgeted by approximately \$1,500,000.
- Significant capital improvement projects for the transit system include \$14,100,000 for replacement of 35 forty-foot buses. It should be noted this project was initially a 2014 budget item that was advance funded in the July 2013 cycle of the Committee on Finance, Personnel & Audit using surplus bond proceeds for the County's required matching funds portion of the cost. Delivery of the buses will occur in 2014.

¹ Transit staff is employed by the management contractor Milwaukee Transport Services, Inc (MTS) and are not Milwaukee County employees. The pension system for MTS employees is separate and distinct from the Milwaukee County pension system.

Director's Office

- The majority of expenditures for the Director's Office remain the staffing costs necessary to provide oversight, coordination, and technical assistance to the MCDOT Divisions and crosscharges from other county departments such as Facilities Management, Information Management Service Division (IMSD), and Risk Management.
- Budgeted property tax levy for the Director's Office is \$0, which represents an increase of \$128,961 over the 2013 property tax levy. This change in tax levy allocation methodology has a \$0 effect on property tax levy across MCDOT as the increase in the Director's Office is offset by decreased crosscharges to the MCDOT Divisions overseen by the Director's Office.
- Non-county revenue from administration of the towing program decreases slightly in 2014 from \$269,180 to \$250,000.
- The Director's Office is introducing two new initiatives in 2014 that result in the addition of staff. A Safety and Emergency Program Manager is added to provide a coordinated and uniform approach to safety and emergency management for all of MCDOT. A Transportation Analyst position is also added to provide analytical research based on changes in policy at the federal, state, and local levels as well as to research requests made by elected officials and the public. Current staffing levels are insufficient to adequately address these needs.
- The Manager to Employee ratio in the Director's Office is approximately 1 to 4.

RECOMMENDATION:

This report is for informational purposes only.

Prepared by: James H. Martin, Director of Operations, MCDOT

Approved by:

Brian Dranzik, Director,
Department of Transportation

Cc:

Raisa Koltun, Director of Legislative Affairs, County Executive's Office

Josh Fudge, Fiscal and Budget Administrator, Dept. of Administrative Svcs. – Fiscal Affairs

Steve Cady, Fiscal and Budget Analyst, County Board of Supervisors

Martin Weddle, Research Analyst, County Board of Supervisors

Vince Masterson, Fiscal and Strategic Asset Coordinator, Dept. of Administrative Svcs. –
Fiscal Affairs

MILWAUKEE COUNTY

INTER-OFFICE COMMUNICATION

DATE: October 4, 2013

TO: Supervisor Michael Mayo, Sr., Chairperson, Transportation, Public Works and Transit Committee

FROM: Brian Dranzik, Director, Department of Transportation

SUBJECT: **INFORMATIONAL REPORT:** Summary of Fund Transfers for Consideration at the October 2013 Meeting of the Committee on Finance, Personnel and Audit

<u>Description:</u>	<u>Amount:</u>
1. DOT – Airport	\$325,000

The Director of the Milwaukee County Department of Transportation (MCDOT)—Airport Division is requesting an appropriation transfer to increase expenditure authority and revenue for Project WA178012 GMIA Parking Structure Ramp Infill by \$325,000 from \$705,000 to \$1,030,000. The seven rental car companies operating out of the parking garage identified a need for additional airport parking spaces to coincide with their car rental business. A feasibility study by GRAEF & K. Singh and Associates in October 2012 investigated the removal of four second level ramps and infilling two of the ramps with structural slabs and restoring at grade slabs under the ramps for the purpose of increased available parking space. This will add about 11,500 square feet to their space and will not reduce the number of publicly accessible spaces. Bid documents were issued for this project. Only one contractor responded to the first bid document and the bid was higher than anticipated, therefore a second bid document was issued to rebid this project. The results were just received and while two companies responded and the bids were lower than the first bid, the total cost has increased by \$325,000. Financing is being provided from the Airport Development Fund (ADF), but the fund will be reimbursed by a Customer Facility Charge (\$1.00 fee per rental contract) that will be imposed by rental car companies. The payback period (including an interest charge of 3.5%) is estimated to be a maximum of five years. A new five-year contract with the rental car companies was signed effective, July 1, 2013. The financing provision for this project was included in the contracts. The same Customer Facility Charge process was used to fund the \$2,000,000 rent-a-car center in 2000.

Approval of this requested appropriation transfer will have no fiscal impact on the tax levy of Milwaukee County.

Description:

Page 2

2. DOT – Fleet Management Division (Per Department of Administrative Services)

\$168,000

The Department of Administrative Services is requesting an appropriation transfer that will move funds, within the Fleet Equipment Acquisition Project, from the Sheriff (WO112014) to the House of Correction (WO112044).

Approval of this requested appropriation transfer will have no fiscal impact on the tax levy of Milwaukee County.

APPROPRIATION TRANSFER REQUEST

1699 R4E

MILWAUKEE COUNTY

FISCAL YEAR
2013

DEPT. NO.
5040

INSTRUCTIONS: REFER TO MILW. COUNTY
ADMINISTRATIVE MANUAL SECTION 4.05 FOR
INSTRUCTIONS ON PREPARING THIS FORM.

DEPARTMENT NAME

Department of Transportation - Airport Division

Were Appropriations Requested Below Denied For The Current Budget?

Yes

No

X

DOA

ACCOUNT DISTRIBUTION

Line No

Fund

Agency

Org. Unit

Revenue /Object

Activity

Project

OBJECT CODE DESCRIPTION

Transfer Request

Account Modification

TO (Credit)

1

1300

120

1300

6030

WA178012

Advertising

\$ 1,000.00

2

1300

120

1300

8527

WA178012

Land Improvements Capital

\$ 315,000.00

3

1300

120

1300

9706

WA178012

Professional Service Division

\$ 9,000.00

4

5

6

7

8

9

10

TO TOTALS (Credit)

\$

325,000.00

\$

-

FROM (Debit)

1

1300

120

1300

4707

WA178012

ADF - Capital reserve

\$ 325,000.00

2

3

4

5

6

7

8

9

10

FROM TOTALS (Debit)

\$

325,000.00

\$

-

EXPLANATION

An appropriation transfer of \$325,000 is requested by the Director of the Department of Transportation and the Airport Director to increase the expenditure authority and revenue for Project WA178012 GMIA Parking Structure Ramp Infill from \$705,000 to \$1,030,000.

There are seven rental car companies that operate out of the parking garage across from the baggage claim area of the terminal building at GMIA. The rental car companies located at MKE have identified a need for additional on-airport parking spaces to coincide with their car rental business. The rental companies pay the County the higher of a Minimum Annual Guarantee or ten percent of all annual gross revenues.

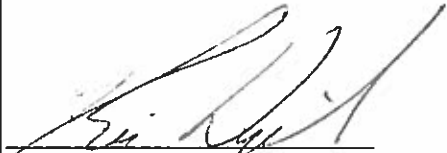
An October 2012 report by GRAEF & K. Singh and Associates investigated the feasibility of the removal of four second level ramps and infilling two of the ramps with structural slabs and restoring at grade slabs under the ramps for the purpose of increased available parking space. The plan identified by the airport contractors will add about 11,500 square feet to their space and will not reduce the number of publicly accessible spaces. This will allow the car rental companies to operate more efficiently.

Bid documents were issued for this project. Only one contractor responded to the first bid document and the bid was higher than anticipated, therefore a second bid document was issued to rebid this project. The results were just received and while two companies responded and the bids were lower than the first bid, the total cost has increased by \$325,000.

This 2013 appropriation transfer will increase the funds available to remove four unused ramps at the second floor in the parking structure and infill the spaces with a structural slab by \$325,000 to a total cost of \$1,030,000. These modifications will increase the available space for the various rental car companies at the airport.

Financing is being provided from the Airport Development Fund (ADF). The fund will be reimbursed by a Customer Facility Charge (\$1.00 fee per rental contract) that will be imposed by rental car companies. The payback period (including an interest charge of 3.5%) is estimated to be a maximum of five years. A new five-year contract with the rental car companies was signed effective, July 1, 2013. The financing provision for this project was included in the contracts. The same Customer Facility Charge process was used to fund the \$2,000,000 rent-a-car center in 2000.

Approval of this requested appropriation transfer will have no fiscal impact on the tax levy of Milwaukee County.


Brian Dranzik, Director
Department of Transportation


Barry Bateman, Airport Director

TYPE OF TRANSFER

AP

EB

RB

TRANSFER NO.

DATE OF REQUEST

SIGNATURE OF DEPARTMENT HEAD

TITLE

A c t i o n

Dept. of Administration

County Executive

Finance Committee

County Board

DATE

APPROVE

DISAPPROVE

MODIFY

MILWAUKEE COUNTY

DEPT. NO
1850

INSTRUCTIONS: REFER TO MILW. COUNTY
ADMINISTRATIVE MANUAL SECTION 4.05 FOR
INSTRUCTIONS ON PREPARING THIS FORM

DEPARTMENT NAME

FLEET MANAGEMENT DIVISION

Were Appropriations Requested Below Denied For The Current Budget?

No

No

[illegible]

TO TOTALS (Credit)	\$	168,000.00	\$	
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[illegible]

FROM TOTALS (Debit)	\$	168,000.00	\$	-
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EXPLANATION

This does not require any additional funding by Milwaukee County, funds are being transferred within the Fleet Equipment Acquisition Project from the sub-project for the Sheriff to the House of Correction. Fleet Management recommends approval of this funds transfer.

Recommend for Approval

Recommend for Approval

Daniel Goeden,
Fleet Director, DOT

Brian Dranzik, Director
Department of Transportation

TYPE OF TRANSFER						TRANSFER NO.	
	AP		EB			RB	
IF ADDITIONAL SPACE IS REQUIRED, PLEASE ATTACH ADDITIONAL PAGES							
DATE OF REQUEST		SIGNATURE OF DEPARTMENT HEAD				TITLE	
1-Oct-13						Director, Department of Transportation	
A c t i o n		Dept. of Administration	County Executive	Finance Committee	County Board		
	DATE						
	APPROVE						
	DISAPPROVE						
	MODIFY						